



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Department of Agriculture

Subject of possible rule making: WAC 16-303-020 Schedule of charges – Billing policies and procedures, WAC 16-303-200 Seed Program testing fees, WAC 16-303-210 Fees for special seed tests; WAC 16-303-250 Miscellaneous charges for seed services, WAC 16-303-310 Organization for economic cooperation and development scheme for varietal certification (O.E.C.D.) fees, and WAC 16-303-320 Certification fees for seed certified by the department.

Statutes authorizing the agency to adopt rules on this subject: Chapter 25, Laws of 2003, 2003 1<sup>st</sup> Special Session, Section 309(2), RCW 15.49.310, RCW 15.49.370(3), and Chapter 34.05 RCW

Reasons why rules on this subject may be needed and what they might accomplish: Amendments to chapter 16-303 WAC are necessary so the fees charged for certain Program activities reflect current seed industry production practices and ensure that the Program recovers its full cost of providing services to the industry. The proposed amendments will:

- Increases certain fees beyond the Office of Financial Management fiscal growth rate factor to cover the cost of providing seed certification services;
- Establish a new fee for services currently provided for free;
- Modify certification fee rates to create an equitable fee structure based upon crop yields; and
- Correct typographical, spelling and similar errors.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making  
☐ Pilot rule making  
☐ Agency study

☒ Other (describe) In response to a suggestion from the WSDA Seed Program Advisory Committee, the department

formed an ad hoc committee comprised of Advisory Committee members and other industry representatives to study and advise the department regarding Seed Program fees. The recommendation of the ad hoc committee was to increase certain fees. The Seed Program Advisory Committee concurred with this recommendation. WSDA staff will develop the specific rule proposal. In turn, seed industry representatives and the advisory committee will review and comment on the proposed rule amendments. Interested parties can participate in the public hearing/public comment process, the dates of which will be announced when the department files the rule proposal with the Code Reviser.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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